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FACSIMILE TRANSMITTAL SHEET

DATE: September 3, 2009

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NAME/COMPANY	FACSIMILE NO.	
Examiner Lucas A. Stelling U.S. Patent and Trademark Office	(571) 270-4725	<input type="checkbox"/> SUCCESSFULLY FAXED
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MESSAGE:

USPTO Examiner Lucas A. Stelling
Group Art Unit: 1797
U.S. Serial No.: 10/565,992
Our Ref: P/567-130

PTOL-413A (05-03)

Approved for use through xx/xx/xxxx. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**APPLICANT INITIATED INTERVIEW REQUEST FORM**

Application No.: 10/565,992 First Named Applicant: Dennis Wowern Nielsen
 Examiner: Lucas A. Stelling Art Unit: 1797 Status of Application: Non-Final Office Action

Tentative Participants:

- (1) Examiner Lucas A. Stelling (2) Mark A. Farley, Reg. No. 33,170
 (3) (4)

Proposed Date of Interview: September 11, 2009 Proposed Time: 2:00 PM
 (AM/PM)

Type of Interview Requested:

- (1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
 If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) § 103 Rejections - based primarily on combination of Welwyn reference and Van Slyke reference	<u>All claims</u>	UK 1,567,773 of Welwyn Hall Research Association; and	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)		USP 6,916,426 to Van Slyke, et al.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Please see attached sheet

An interview was conducted on the above-identified application on _____

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR

Mark A. Farley
 Mark A. Farley
 Registration No.: 33,170
 Applicant/Applicant's Representative Signature

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual cases. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

P/567-130
U.S. Serial No. 10/565,992

PROPOSED TOPICS FOR DISCUSSION

The Van Slyke reference "teaches away" from combining its disclosure with that of Welwyn. That is, on the one hand Welwyn teaches to sanitize the waste by the addition of quicklime wherein the pH is raised to 9 and preferably to 11. The reference additionally teaches that the reason for use of quicklime is the treated material is to be used as a fertilizer and, thus, the addition of the CaO would be valuable in that regard.

On the other hand, in contrast, Van Slyke teaches that the waste is treated to render it acidic with one, and optionally two, acidic waste treatments. Moreover, the purpose of the acidic treatment is not to sanitize the waste. In order to sterilize the waste a UV treatment is taught. Furthermore, the acid treatment is not even required (i.e. for sterilization) as the reference teaches to flocculate the waste immediately and that the acid treatment is (only) necessary if such flocculation treatment is not possible.

Van Slyke, thus, teaches away from combining its disclosure with that of Welwyn since the latter teaches to render the waste highly basic whereas Van Slyke teaches to render the waste acidic. Further, the treatment with base in Welwyn is for the purpose of sanitization whereas, in Van Slyke, the waste is sanitized via a UV treatment. Finally, the treated waste in Welwyn is to be used for fertilizer whereas the teaching in Van Slyke to render the waste acidic means that it is not useful for the use envisioned by Welwyn.